

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31906 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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Pancha Mishra, Son of Late Parmeshwar Mishra, Resident of Vill. -
Basantpur, P.S. - Jogapatti, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 12-08-2015

Heard learned counsel for the petitioner and learned
Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises
out of Sathi P.S. Case No. 46 of 2015, disclosing offences
under Section 47 (a) of the Bihar Excise Act.

Learned counsel appearing on behalf of the
petitioner, referring to the First Information Report and seizure
list, submits that admittedly, 7 quintals and 50 kilograms of
Jaggery and 2 blue containers, containing semi prepared
“PAS”, were recovered. He contends that no quantity of
“PAS”, which is said to have been recovered, has been

mentioned in the seizure list. He has further submitted that the petitioner has no criminal antecedent and for the first time he has been made accused in a case registered under Section 47 (a) of the Bihar Excise Act.

In view of the submission as above, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Sri B. Shukla, learned Judicial Magistrate, Ist Class, Bettiah, West Champaran** in connection with **Sathi P.S. Case No. 46 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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